

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

DIANA FRICK and JOSEPH FRICK, her
husband

Plaintiffs

vs.

BIG LOTS STORES, INC.

Defendant

CASE NO. 2:15-cv-00360-DSC

Honorable David Stewart Cercone

JURY TRIAL DEMANDED

**DEFENDANT BIG LOTS, STORES
INC.'S MOTION TO EXTEND TIME
FRAME TO FILE A RESPONSIVE
PLEADING**

FILED ON BEHALF OF:
DEFENDANT, BIG LOTS STORES, INC.

COUNSEL OF RECORD FOR
THIS/THESE PARTIES:

JASON G. WEHRLE, ESQUIRE
PA. I.D. No. 92711

**MINTZER, SAROWITZ, ZERIS,
LEDVA & MEYERS, LLP**

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MSZL&M File No. 009460.000039

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BIG LOTS STORES, INC.

Defendant

**DEFENDANT BIG LOTS STORES, INC.'S MOTION TO EXTEND TIME
FRAME TO FILE A RESPONSIVE PLEADING**

COMES NOW, the Defendant BIG LOTS STORES, INC., by counsel, Jason G. Wehrle and the law firm of Mintzer, Sarowitz, Zeris, Ledva, & Meyers, LLP, pursuant to Rule 6 of Federal Rules of Civil Procedure, and for good cause shown, hereby moves this Court to enter an Order extending the time frame for Defendant Big Lots Stores, Inc. to file a responsive pleading to Plaintiffs' Complaint to allow Defendant sufficient time to investigate the facts giving rise to Plaintiffs' Complaint such that meaningful responses can be made to the allegations contained therein. In support thereof, Defendant has contemporaneously filed a Memorandum of Law in Support.

WHEREFORE, based upon the foregoing and the reasons set forth in the Memorandum of Law in Support, Defendant Big Lots Stores, Inc. moves this Court to

enter an Order granting it an extension of thirty (30) days to file a responsive pleading in this matter and such further and other relief as the Court deems proper.

**MINTZER, SAROWITZ, ZERIS, LEDVA
& MEYERS, LLP**

/s/ Jason G. Wehrle

BY: _____

JASON G. WEHRLE, ESQUIRE
Attorney for Defendant, BIG LOTS STORES,
INC.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 27th day of March, 2015, a true and correct copy of the within DEFENDANT BIG LOTS STORES, INC.'S MOTION TO EXTEND TIME FRAME TO FILE A RESPONSIVE PLEADING was provided to the parties, either individually or through their counsel, as listed below, and in the manner indicated:

- ☒ FIRST CLASS MAIL, POSTAGE PREPAID AT PITTSBURGH, PA 15222
- ☐ VIA FACSIMILE TRANSMISSION
- ☐ HAND-DELIVERY

Michael C. George, Esquire
LAW OFFICE OF MICHAEL C. GEORGE
The Grant Building
330 Grant Street - Suite 712
Pittsburgh, PA 15219

**MINTZER, SAROWITZ, ZERIS, LEDVA
& MEYERS, LLP**

/s/ Jason G. Wehrle
BY: _____
JASON G. WEHRLE, ESQUIRE
Attorney for Defendant,
BIG LOTS STORES, INC.

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JURY TRIAL DEMANDED

BIG LOTS STORES, INC.

Defendant

ORDER

AND NOW, this ____ day of _____, 2015, it is hereby **ORDERED**,
ADJUDGED and **DECREED** that Defendant Big Lots Stores, Inc.'s Motion to Extend
Time Frame to File a Responsive Pleading is **GRANTED** and Defendant has thirty (30)
days from the date of this Order to file a responsive pleading to Plaintiffs' Complaint.

J.